**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

## HON'BLE Mr. JUSTICE R. SUBHASH REDDY

**Writ Petition No.5567 of 2006**

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**Dated: March 21, 2006**

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**Between:**

Karnataka State Road Transport Corporation,

rep. by Managing Director, Bangalore.

… Petitioner

And

Motor Vehicles Inspector, Hindupur,

Anantapur District, and another.

… Respondents

**Order:**

Petitioner, by this Writ Petition, seeks Mandamus declaring the action of the first respondent in seizing his vehicle bearing No.KA.01/F.7639 on 07-03-2006 under Check Report No.340772 as illegal and arbitrary and further direction is also sought to release the said vehicle.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Transport appearing on behalf of the respondents.

3. The facts of the case, in brief, are that the vehicle of the petitioner, a bus belonging to the Karnataka State Road Transport Corporation, was checked by the first respondent and a Check Report was prepared alleging that the permit and records were not produced and the said vehicle was seized. It is stated that petitioner approached the second respondent on 13-03-2006 to file an application for release of the said vehicle, but the second respondent refused to receive the application.

4. In the material papers filed along with the Writ Petition, a copy of the Certificate issued by the Depot Manager, Karnataka State Road Transport Corporation, Dodballapur Depot, has been filed, which indicates that the vehicle that has been seized was being operated in place of another vehicle that has broken down and the seized vehicle has been covered vide permit No.PSTS.46/98-99 valid upto 30-06-2008.

5. Having regard to the fact that the vehicle belongs to KSRTC and also in view of the fact that it is covered by permit aforementioned,
I dispose of the Writ Petition directing the respondents to release the vehicle of the petitioner bearing No.KA.01/F.7639, forthwith. However, the release of the said vehicle will be subject to further orders, if any, that may be passed by the competent authority.

6. The Writ Petition is disposed of with the above directions. No order as to costs.

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**JUSTICE R. SUBHASH REDDY.**

March 21, 2006

**MRR**